

Prob12B
D/NV Form
Rev. June 2014

United States District Court
for
the District of Nevada

REQUEST FOR MODIFICATION
TO CONDITIONS OF SUPERVISION WITH CONSENT OF OFFENDER
Probation Form 49 (Waiver of Hearing) is Attached
October 17, 2021

Name of Offender: Elias Cordero-Perez

Case Number: 2:21CR00066

Name of Sentencing Judicial Officer: Honorable Richard F. Boulware

Date of Original Sentence: March 16, 2021

Original Offense: Deportation Alien Found in the United States

Original Sentence: 35 days prison, followed by 36 Months TSR

Date Supervision Commenced: March 16, 2021

Name of Assigned Judicial Officer: Honorable Richard F. Boulware

PETITIONING THE COURT

☒ To modify the conditions of supervision as follows:

Search and Seizure – You must submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States Probation Officer. Failure to submit to a search may be grounds for revocation of release. You must warn any other occupants that the premises may be subject to searches pursuant to this condition.

The probation officer may conduct a search under this condition only when reasonable suspicion exists that you have violated a condition of supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

CAUSE

Cordero-Perez was sentenced on March 16, 2021, in the District of Nevada. He commenced supervision on March 16, 2021 in the Las Vegas Division. Upon reviewing his conditions of

RE: Elias Cordero-Perez

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supervision, it was discovered his judgment did not include the special condition of search and seizure.

Cordero-Perez agreed to modifying his conditions of supervision and signed a Waiver of Hearing on September 17, 2021. At this time, the U.S. Probation Office is requesting that Your Honor modify his conditions of supervised release to include the search and seizure condition.

Respectfully submitted,

 Digitally signed by
Margarita Hernandez Powell
Date: 2021.10.18 10:52:21
-07'00'

Margarita Hernandez Powell
United States Probation Officer

Approved:

 Digitally signed by Joy Gabonia
Date: 2021.10.18 10:07:27
-07'00'

Joy Gabonia
Supervisory United States Probation Officer

THE COURT ORDERS

- ☐ No Action.
- ☐ The extension of supervision as noted above.
- ☒ The modification of conditions as noted above
- ☐ Other (please include Judicial Officer instructions below):



RICHARD F. BOULWARE, II
United States District Judge

October 29, 2021
Date

UNITED STATES DISTRICT COURT

District of Nevada

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

Search and Seizure – You must submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States Probation Officer. Failure to submit to a search may be grounds for revocation of release. You must warn any other occupants that the premises may be subject to searches pursuant to this condition.

The probation officer may conduct a search under this condition only when reasonable suspicion exists that you have violated a condition of supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

Witness

M. Mandy Powell

U.S. Probation Officer

Signed

[Signature]

Probationer or Supervised Releasee

9-17-2021

Date